IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Crl.Rev.Pet.No. 2089 of 2007()

AGAINST THE ORDER IN C.M.P. NO. 4195/2006 IN S.T. NO. 3041/2004 of MUNSIFF MAGISTRATE, PONNANI

REVN. PETITIONER: ACCUSED

V.V.MUHAMMADKUTTY,
S/O ELEYADATH KUNHIMARAKKAR,
NOW RESIDING AT C/O PARAPURATH IBRAHIM,
KALIYATHEL HOUSE, P.O.VELIYAMCODE.

BY ADV. SRI.T.K.SAIDALIKUTTY

RESPONDENTS:
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1. M.MUHAMMAD, S/O MAMU,
MARAKKATHEL HOUSE, P.O.MARANCHERY,
PONNANI TALUK.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 2089 OF 2007

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Dated this the 30th day of May 2007

O R D E R

The revision petition is filed seeking to set aside the order of the court below dismissing the application to send the impugned cheque for expert opinion. The court below has considered the matter and has observed that the idea behind the application is to protract the matter. I find that the 138 proceedings are to be disposed of within six months as per Section 143(3) of the Negotiable Instruments Act. Further more, the proceedings is of the year 2004 and the accused/ revision petitioner has sought for to send the matter for forensic opinion only on 2006. I find that the application cannot be entertained. In the circumstances, the revision petition is dismissed in limine. The court below shall dispose of the matter on merits untrammeled by any observations made in this order.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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